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Holder of License No. 34107
For the Practice of Allopathic Medicine
In the State of Arizona.

ORDER FOR LICENSE REACTIVATION, LETTER OF REPRIMAND, PROBATION, AND CONSENT TO THE SAME

Peter Chi-Yue Liang, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for License Reactivation, Letter of Reprimand and Probation and Consent to the Same; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of license number 34107 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-13-1101A after receiving Respondent's request for license reactivation.

4. On July 19, 2006, Respondent entered into a five year Stipulated Rehabilitation Agreement ("SRA") with the Board in which he agreed to enroll and participate in the Board's Physician Health Program ("PHP"). Respondent successfully completed the terms and conditions of the SRA and the Agreement was terminated on July 20, 2011.

5. On March 12, 2012, Respondent self-reported that he had relapsed into active addiction and on March 7, 2012, he entered into a Request for License Inactivation with Cause and Order.

6. On August 7, 2013, Respondent requested license reactivation. He informed Board staff that he completed long-term treatment for chemical dependency at an inpatient facility on June 1, 2012 and immediately thereafter, enrolled in the Minnesota Health Professionals Services Program ("HPSP") for a term of five years, including ongoing treatment with an addiction psychiatrist and psychologist at the Mayo Clinic.

7. A report received from the HPSP confirmed that Respondent remains in compliance with the program contract.

8. On November 22, 2013, Respondent underwent an assessment with the Board's PHP Contractor, who opined that Respondent was safe to practice and recommended license reactivation contingent upon Respondent entering into the PHP as an out-of-state participant and remain compliant with HPSP. Further, the PHP Contractor recommended that Respondent be given credit for compliance with HPSP, which is due to terminate on June 13, 2017.

9. On December 18, 2013, the California Medical Board placed Respondent's California medical license on stayed-revocation probation for a term of five years based on the Arizona Medical Board's action in this matter.

10. According to the Board's three-strike policy, this is Respondent's "second strike".

CONCLUSIONS OF LAW

1. The Arizona Medical Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Board has received substantial evidence supporting the Findings of Fact described above and said findings require the Board to either refer the matter for formal hearing to revoke Respondent's license or reactive Respondent's license and place

Respondent on probation for five years with restrictions necessary to assure public safety.
A.R.S. § 32-1452(F).

3. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(f) ("[H]abitual intemperance in the use of alcohol or habitual substance abuse.").

ORDER

IT IS HEREBY ORDERED that:

Respondent is issued a Letter of Reprimand.

Respondent's license is reactivated contingent upon payment of the renewal fee.

Respondent is placed on Probation for a minimum of **five years** with the following terms and conditions. Respondent's Probation shall be deemed retroactive to and run concurrently with his participation in HPSP, which is currently set to expire on June 13, 2017.

1. **Participation.** Within 5 days of the date of this Order, Respondent shall enroll in and participate in the Board's PHP monitoring service which is administered by a private contractor ("PHP Contractor").

2. **Out-of-State.** Respondent currently resides or practices as a physician in a state other than Arizona, and therefore, Respondent shall continue to participate in and remain compliant with HPSP. Respondent shall cause HPSP to provide written quarterly reports to the PHP Contractor regarding Respondent's attendance, participation, and monitoring. HPSP and Respondent shall immediately notify the PHP Contractor if Respondent: a) is non-compliant with any aspect of the monitoring requirements; b) relapses; c) tests positive for controlled substances; d) has low specific gravity urine drug test(s), missed and/or late urine drug tests, or otherwise rejected urine drug tests; and e) is required to undergo any additional treatment.

1 In the event that Respondent wishes to participate in PHP as an in-state participant,
2 Respondent shall notify the PHP Contractor in writing. At that time, Respondent shall be
3 subject to the following conditions:

4 3. **Relapse Prevention Group.** Respondent shall attend the PHP Contractor's
5 relapse prevention group therapy sessions one time per week for the duration of this
6 Order, unless excused by the relapse prevention group facilitator for good cause.
7 Individual relapse therapy may be substituted for one or more of the group therapy
8 sessions, if Monitor pre-approves substitution. The relapse prevention group facilitators or
9 individual relapse prevention therapist shall submit monthly reports to the PHP Contractor
10 regarding attendance and progress.

11 4. **12 Step or Self-Help Group Meetings.** If applicable, Respondent shall
12 attend ninety 12-step meetings or other self-help group meetings appropriate for
13 substance abuse and approved by the Monitor, for a period of ninety days. Upon
14 completion of the ninety meetings in ninety days, Respondent shall participate in a 12-step
15 recovery program or other self-help program appropriate for substance abuse as
16 recommended by the PHP Contractor. Respondent shall attend a minimum of three 12-
17 step or other self-help program meetings per week. Two meetings per month must be
18 Caduceus meetings. Respondent must maintain a log of all self-help meetings.

19 5. **Approved Primary Care Physician.** Respondent shall promptly obtain a
20 primary care physician and shall submit the name of the physician to the PHP Contractor
21 in writing for approval. The approved primary care physician ("PCP") shall be in charge of
22 providing and coordinating Respondent's medical care and treatment. Except in an
23 *Emergency*, Respondent shall obtain medical care and treatment only from the PCP and
24 from health care providers to whom the PCP refers Respondent. Respondent shall
25 promptly provide a copy of this Order to the PCP. Respondent shall also inform all other

1 health care providers who provide medical care or treatment that Respondent is
2 participating in PHP. "*Emergency*" means a serious accident or sudden illness that, if not
3 treated immediately, may result in a long-term medical problem or loss of life.

4 6. **Medication.** All prescriptions for controlled substances shall be
5 approved by the PHP Contractor prior to being filled except in an *Emergency*.
6 Controlled substances prescribed and filled in an emergency shall be reported to the PHP
7 Contractor within 48 hours. Respondent shall take no *Medication* unless the PCP or other
8 health care provider to whom the PCP refers Respondent prescribes and the PHP
9 Contractor approves the *Medication*. Respondent shall not self-prescribe any *Medication*.
10 "*Medication*" means a prescription-only drug, controlled substance, and over-the counter
11 preparation, other than plain aspirin, plain ibuprofen, and plain acetaminophen.

12 7. **No Alcohol or Poppy Seeds.** Respondent shall not consume alcohol, any
13 food, or other substance containing poppy seeds or alcohol.

14 8. **Biological Fluid Collection.** Respondent shall provide the PHP Contractor
15 in writing with one telephone number that shall be used to contact Respondent on a 24
16 hour per day/seven day per week basis to submit to biological fluid collection. For the
17 purposes of this section, telephonic notice shall be deemed given at the time a message to
18 appear is left at the contact telephone number provided by Respondent. Respondent
19 authorizes any person or organization conducting tests on the collected samples to
20 provide testing results to the Monitor. Respondent shall comply with all requirements for
21 biological fluid collection.

22 9. **Out of State Travel and/or Unavailability at Home/Office Telephone**
23 **Number.** Respondent shall provide the Monitor with written notice of any plans to travel
24 out of state or any time Respondent will be unavailable to be contacted at the telephone
25 number provided pursuant to paragraph seven.

GENERAL TERMS AND CONDITIONS

10. **Payment for Services.** Respondent shall pay for all costs, including PHP Contractor costs associated with participating in PHP at the time service is rendered, or within 30 days of each invoice sent to the Respondent. An initial deposit of two months monitoring fees is due upon entering the program. Failure to pay either the initial monitoring deposit or monthly fees 60 days after invoicing will be reported to the Board by the PHP Contractor and may result in disciplinary action up to and including revocation.

11. **Interviews.** Respondent shall appear in person before the PHP Contractor for interviews upon request, upon reasonable notice.

12. **Release of Information.** Respondent provides full consent for the PHP Contractor to discuss the Respondent's case with the Relapse Prevention Group facilitator, case managers, PCP, and all health care providers to ensure compliance with PHP.

13. **Address and Phone Changes, Notice.** Respondent shall immediately notify the PHP Contractor in writing of any change in office or home addresses and telephone numbers.

14. **Relapse, Violation.** In the event of chemical dependency relapse by Respondent or Respondent's use of drugs or alcohol in violation of the Order, Respondent's license shall be **summarily suspended pending a hearing for revocation**. In the alternative, Respondent may **SURRENDER HIS LICENSE** if he agrees in writing to being impaired by alcohol or drug abuse. A.R.S. § 32-1452(G).

15. **Notice Requirements.** Respondent shall immediately provide a copy of this Order to all current and future employers and all hospitals and free standing surgery centers where Respondent has privileges. Within 30 days of the date of this Order, Respondent shall provide the Monitor with a signed statement of compliance with this

1 notification requirement. Respondent is further required to notify, in writing, all employers,
2 hospitals and free standing surgery centers where Respondent currently has or in the
3 future gains employment or privileges, of a chemical dependency relapse.,

4 16. The Board retains jurisdiction and may initiate new action based upon any
5 violation of this Order.

6 DATED AND EFFECTIVE this 3rd day of October, 2014.

7 ARIZONA MEDICAL BOARD

8
9 By Patricia E. McSorley
10 Patricia E. McSorley, Deputy Director
11 acting in stead of the Executive Director

12 **CONSENT TO ENTRY OF ORDER**

13 1. Respondent has read and understands this Consent Agreement and the
14 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
15 acknowledges he has the right to consult with legal counsel regarding this matter.

16 2. Respondent acknowledges and agrees that this Order is entered into freely
17 and voluntarily and that no promise was made or coercion used to induce such entry.

18 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
19 to a hearing or judicial review in state or federal court on the matters alleged, or to
20 challenge this Order in its entirety as issued by the Board, and waives any other cause of
21 action related thereto or arising from said Order.

22 4. The Order is not effective until approved by the Board and signed by its
23 Executive Director.

24 5. All admissions made by Respondent are solely for final disposition of this
25 matter and any subsequent related administrative proceedings or civil litigation involving

1 the Board and Respondent. Therefore, said admissions by Respondent are not intended
2 or made for any other use, such as in the context of another state or federal government
3 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
4 any other state or federal court.

5 6. Upon signing this agreement, and returning this document (or a copy
6 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
7 entry of the Order. Respondent may not make any modifications to the document. Any
8 modifications to this original document are ineffective and void unless mutually approved
9 by the parties.

10 7. This Order is a public record that will be publicly disseminated as a formal
11 disciplinary action of the Board and will be reported to the National Practitioner's Data
12 Bank and on the Board's web site as a disciplinary action.

13 8. If any part of the Order is later declared void or otherwise unenforceable, the
14 remainder of the Order in its entirety shall remain in force and effect.

15 9. If the Board does not adopt this Order, Respondent will not assert as a
16 defense that the Board's consideration of the Order constitutes bias, prejudice,
17 prejudgment or other similar defense.

18 10. Any violation of this Order constitutes unprofessional conduct and may result
19 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[V]iolating a formal order, probation,
20 consent agreement or stipulation issued or entered into by the board or its executive
21 director under this chapter") and 32-1451.

22 **11. Respondent has read and understands the conditions of probation.**

23
24 
25 _____
Peter Chi-Yue Liang, M.D.

DATED: 9/3/2014

1 EXECUTED COPY of the foregoing mailed
2 this 3rd day of October, 2014 to:

3 Peter Chi-Yue Liang, MD
4 ADDRESS OF RECORD

5 ORIGINAL of the foregoing filed
6 this 3rd day of October, 2014 with:

7 Arizona Medical Board
8 9545 E. Doubletree Ranch Road
9 Scottsdale, AZ 85258

10 Mary Pates
11 Board Staff
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